REMARKS

After entry of the above amendments, claims 22-39 will be pending in the present application. Previously pending claims 9-13 have been cancelled. New claims 22-39 have been added. Support for the newly added claims can be found in the specification and drawings. Applicant reserves the right to pursue any cancelled claim in a continuation application. No new matter has been added.

§ 101 Rejections

Previously pending claims 9-13 were rejected under 35 U.S.C. § 101, as not being directed to statutory subject matter. Applicant respectfully submits that newly added claims 22-39 are directed to statutory subject matter since useful, concrete, and tangible results are produced. In particular, the newly added claims 22-39 recite "moving each record in the application buffer area . . . to the application for processing," "replacing the record in the application buffer area with a new copy," and "removing the record from the application buffer area."

Accordingly, it is respectfully submitted that newly added claims 22-39 are directed to statutory subject matter under 35 U.S.C. § 101.

§ 102 Rejections

Previously pending claims 9-13 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,026,406 to Huang et al. (hereinafter "Huang").

Newly added claim 22 recites:

> 22. A method for data sharing across batch sequential processes and on-line transactional processes in a clustered arrangement of multiple data processing systems, the method comprising:
> obtaining a lock on a control area of a file on behalf of an application performing a batch sequential process, the control area being a sequentially ordered set of records of the file;
> subsequent to obtaining the lock on the control area, reading the sequentially ordered set of records from the control area of the file into an application buffer area;
> moving each record in the application buffer area, one at a time, to the application for processing;
> responsive to a record being moved from the application buffer area to the application for processing, determining whether the record needs to be updated or deleted;
> responsive to the record needing to be updated, replacing the record in the application buffer area with a new copy; and
> responsive to the record needing to be deleted, removing the record from the application buffer area.

In the Office action, the Examiner states:

> Huang discloses . . . obtaining a lock on a control area by a batch sequential process [Col 10 lines 47-54] . . . .

(August 24, 2006 Office action, pg. 3).

The passage of Huang cited by the Examiner states:

> A lock manager is a mechanism that grants permission for a transaction 410 to access shared resources within a database system. A lock manager assists in maintaining database consistency and integrity while a database maintenance operation is being performed by ensuring that other concurrently scheduled transactions do not modify a particular portion of the database presently locked by another transaction before the transaction commits. A lock manager is

particularly useful when traversing a node in a B-tree index and performing the index update operations because it ensures that another concurrently scheduled transaction does not modify the B-tree index while an index update operation is executing. In this way, multiple index update records can be applied to a target leaf node without re-traversing the index 102. In one embodiment of the invention, a lock manager reduces the number of cache buffer locks acquired to protect the integrity of the index 102, hence, there is the potential of increased concurrency in the database system.

(Col. 10, lns. 46-64).

Although the cited passage of Huang generally discusses locking shared resources within a database system to maintain consistency and integrity, Huang does not disclose, teach, or suggest "obtaining a lock on a control area of a file on behalf of an application performing a batch sequential process, the control area being a sequentially ordered set of records of the file," as recited in claim 22.

In addition, "obtaining a lock on a control area of a file on behalf of an application performing a batch sequential process, the control area being a sequentially ordered set of records of the file," as recited in claim 22, is not inherently disclosed, taught, or suggested by Huang. Under M.P.E.P. § 2163.07:

> To establish inherency, the extrinsic evidence "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." *In re Robertson*, 169 F.3d 743, 745, 49 U.S.P.Q.2d 1949, 1950-51 (Fed. Cir. 1999).

(M.P.E.P. § 2163.07, 8th ed., 4th rev.). Since Huang only generally discusses locking of shared resources within a database system, it does not inherently disclose, teach, or suggest "obtaining a lock on a control area of a file on behalf of an application performing a batch sequential process, the control area being a sequentially ordered set of records of the file," as recited in claim 22.

In the Office action, the Examiner also states:

> Huang discloses . . . reading records from the control area into predetermined buffers of address space for the batch sequential process [Col 6 lines 30-35] . . . .

(August 24, 2006 Office action, pg. 3).

The passage of Huang cited by the Examiner states:

> Each index update record generated at step 520 is thereafter stored in a sort area 414 of buffer cache 206 (step 525). Table 1 shows a representative group of index update records stored in the sort area 414 according to one embodiment of the invention. The first column of Table 1 represents an index update operation type, the second column represents a key value and the third column stores a pointer to the corresponding row of the table 100.

(Col. 6, lns. 30-37).

The cited passage of Huang, however, does not disclose, teach, or suggest "subsequent to obtaining the lock on the control area, reading the sequentially ordered set of records from the control area of the file into an application buffer area," as recited in claim 22. In particular, Huang only discusses generating "index update records" and storing the "index update records" in "a sort area 414 of buffer cache 206." It does not disclose, teach, or suggest that the records are read from a locked control area of a file into a buffer area.

Further, the "index update records" of Huang cannot be construed as disclosing the "records" recited in claim 22 because each "index update record" in Huang merely indicates a particular operation to be performed on a particular key value in the index. In contrast, operations are actually performed on the "records" recited in claim 22. Specifically, claim 22 recites "replacing the record in the application buffer area with a new copy" and "removing the record from the application buffer area."

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Therefore, based at least on the reasons above, Applicant respectfully submits that claim 22, and the claims that depend therefrom, are not anticipated by Huang. Given that claim 31 recites elements similar to those of claim 22, it is respectfully submitted that claim 31, and the claims that depend therefrom, are not anticipated by Huang for at least the same reasons.

CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,
SAWYER LAW GROUP LLP

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